



Order Filed on December 10, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

**Robertson, Anschutz, Schneid, Crane & Partners,
PLLC**

Authorized Agent for Secured Creditor
130 Clinton Road, Lobby B, Suite 202
Fairfield, NJ 07004
Telephone: 973-575-0707
Facsimile: 973-404-8886

Harold Kaplan (HK0226)

In Re:

Joseph Lombardi,

Debtor,

Lorie A Lombardi,

Joint Debtor.

Case No.: 19-25502-MBK

Chapter: 13

Hearing Date: December 8, 2021

Judge: Michael B. Kaplan

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: December 10, 2021

A handwritten signature of Michael B. Kaplan in black ink, written over a horizontal line.
Honorable Michael B. Kaplan
United States Bankruptcy Judge

Page 2

Secured Creditor: Nationstar Mortgage LLC D/B/A Mr. Cooper

Secured Creditor's Counsel: Robertson, Anschutz, Schneid, Crane & Partners, PLLC

Debtors' Counsel: Marc C Capone, Esq.

Property Involved ("Collateral"): 171 Lilac Court, Jackson, NJ 08527

Relief sought:

- ☒ Motion for relief from the automatic stay
- ☐ Motion to dismiss
- ☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Secured Creditor's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:
 - The Debtor is overdue for 3 months from September 1, 2021 through November 1, 2021.
 - The Debtor is overdue for 1 payment from September 1, 2021 at \$1,069.49.
 - The Debtor is overdue for 2 payments from October 1, 2021 at \$975.98 per month.

Funds Held In Suspense \$115.39.

Total Arrearages Due \$2,906.06.

2. Debtor must cure all post-petition arrearages, as follows:
- Beginning on December 1, 2021, regular monthly mortgage payments shall continue to be made in the amount of \$975.98.
 - Beginning on December 15, 2021, monthly cure payments shall be made in the amount of \$484.34 for 5 months with a 6th and final payment in the amount of \$484.36 coming due on or before May 15, 2022.
3. Payments to the Secured Creditor shall be made to the following address(es):
- Regular monthly payment: Nationstar Mortgage LLC
Attn: Bankruptcy Dept
PO Box 619094
Dallas, TX 75261-9741

■ Monthly cure payment: Nationstar Mortgage LLC
Attn: Bankruptcy Dept
PO Box 619094
Dallas, TX 75261-9741

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

■ The Applicant is awarded attorney fees of \$350.00 and costs of \$188.00.

The fees and costs are payable:

■ Through the Chapter 13 plan.

☐ To the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.

6. In the event Secured creditor has not filed a timely Proof of Claim, Debtor consents to the filing and payment by the Chapter 13 Trustee of any late filed Proof of Claim, subject to the right of the Debtor to file an objection as to the amount.

The undersigned hereby consent to the form and entry of the foregoing order.



Marc C. Capone, Esq.

Attorney for Debtor(s)

Date: 12/2/21

/s/ Harold Kaplan

Harold Kaplan, Esq.

Attorney for Secured Creditor

Date: 12/2/2021

In re:
Joseph Lombardi
Lorie A Lombardi
Debtors

Case No. 19-25502-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Dec 10, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
--------	------------

+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
---	--

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 12, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Joseph Lombardi, Lorie A Lombardi, 17 London Drive, Jackson, NJ 08527-2615

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 12, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 10, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Aleisha Candace Jennings	on behalf of Creditor U.S. Bank Trust National Association ajennings@raslg.com
Aleisha Candace Jennings	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper ajennings@raslg.com
Denise E. Carlon	on behalf of Creditor U.S. Bank Trust National Association not in its individual capacity, but solely as trustee of Citigroup Mortgage Loan Trust 2019-C dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Dec 10, 2021

Form ID: pdf903

Total Noticed: 1

Denise E. Carlon

on behalf of Creditor Harley-Davidson dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com

Gavin Stewart

on behalf of Creditor Toyota Motor Credit Corporation as servicing agent for Toyota Lease Trust bk@stewartlegalgroup.com

Harold N. Kaplan

on behalf of Creditor Nationstar Mortgage LLC D/B/A Mr. Cooper hkaplan@rasnj.com informationathnk@aol.com

Marc C Capone

on behalf of Joint Debtor Lorie A Lombardi ecf@gbclawgroup.com
mcapone@ecf.courtdrive.com;e4eaf5f23@maildrop.clio.com;mcapone@ecf.courtdrive.com;mcapone@gbclawgroup.com;jgillman@ecf.courtdrive.com

Marc C Capone

on behalf of Debtor Joseph Lombardi ecf@gbclawgroup.com
mcapone@ecf.courtdrive.com;e4eaf5f23@maildrop.clio.com;mcapone@ecf.courtdrive.com;mcapone@gbclawgroup.com;jgillman@ecf.courtdrive.com

Marlena S. Diaz-Cobo

on behalf of Creditor Sixty Acre Reserve Condominium Association Inc. collections@theassociationlawyers.com

Melissa N. Licker

on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper mlicker@hillwallack.com
HWBKnewyork@ecf.courtdrive.com

Ramanjit K. Chawla

on behalf of Creditor State Of New Jersey Division Of Taxation ramanjit.chawla@dol.lps.state.nj.us

Rebecca Ann Solarz

on behalf of Creditor Nationstar Mortgage LLC D/B/A Mr. Cooper rsolarz@kmlawgroup.com

Shauna M Deluca

on behalf of Creditor U.S. Bank Trust National Association sdeluca@raslg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 16